

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 13058 of 2004

Between:

G.Narayana, s/o G.Ramulu,
Indian Airlines Limited, r/o Hyderabad.

..... PETITIONER

AND

1 The Indian Airlines Limited, Hyderabad,
rep., by its General Manager, Begumpet, Hyderabad.
2 The Deputy General Manager (Personnel),
Indian Airlines, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus: a) declare the action of the respondents to include the name of the petitioner in the panel of Casual Drivers and consider the case of petitioner for reengagement as Casual Driver and also consider his case for regular appointment as Driver in Indian Airlines along with other Casual Drivers; b) direct the respondents to include the name of the petitioner in the panel of Casual Drivers and consider the case of petitioner for reengagement as Casual Driver and also consider his case for regular appointment as Driver in Indian Airlines along with other Casual Drivers.

Counsel for the Petitioner:MR.ABHINAND KUMAR SHAVILI

Counsel for the Respondents: MR.K.SRINIVASA MURTHY, Standing Counsel for Indian Airlines

The Court at the stage of admission made the following ORDER:

The petitioner is an Ex-Service man. He was initially appointed as a driver in the Indian Airforce on 27-09-1980. He was imparted training in the trade of Mechanical Transport Driver for 36 weeks at Mechanical Driving Institute Airforce Station, Bangalore. He was permitted as Corporal and later as Sergeant in 1992. He was discharged from the Indian Airforce on 30-09-2000 at his option after completing 20 years of service. Subsequently, he was appointed as a Casual Driver in Indian Airlines on

24-12-2000. He was continued for 65 days i.e. till 5th March, 2001 and later, he was discontinued. He was again engaged as a Casual Driver on 15-03-2002 and he was discontinued on 03-09-2002 after working for a period of 179 days. He was once again engaged as a Casual Driver on 07-03-2003 and was continued till

31-08-2003. The first respondent issued a notice in "Deccan Chronicle" and "Vaartha" newspapers on 24-12-2003 asking the Casual Drivers and Casual Pharmacists, who worked between 1991 to 2001, should report to the office of the second respondent on or before 09-01-2004 for further term of casual engagement. The petitioner accordingly reported to the second respondent. The names of several Casual Drivers were included in a list but his name was not included. Therefore, he approached this Court to give a direction to the respondents to include his name in the panel of Casual Drivers and his case should be considered for regular employment in Indian Airlines.

The learned counsel for the petitioner reported that the petitioner subsequent to his appearance in pursuance of the notification, he did not make any representation

expressing his grievance for not including his name in the panel of Casual Drivers.

The petitioner is therefore, directed to make a representation to the respondents and after receipt of his representation, the respondents shall pass appropriate orders as per the scheme prepared by the Indian Airlines and the Rules in force, within two months from the date of receipt of the representation and communicate the order to the petitioner.

The writ petition is accordingly, disposed of. No costs.

29th JULY, 2004.

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To

1 The Indian Airlines Limited, Hyderabad,
rep., by its General Manager, Begumpet, Hyderabad.

2 The Deputy General Manager (Personnel),

Indian Airlines, Hyderabad.

3 Two CD copies.

